



PATENT
Customer No. 22,852
Attorney Docket No. 3806.0054-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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BLANC et al.

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Group Art Unit: 1652 (Prior Appln.)

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Application No.: 10/716,803

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Examiner: N. Nashed (Prior Appln.)

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Filed: November 20, 2003

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For: POLYPEPTIDES INVOLVED IN THE BIOSYNTHESIS OF
STREPTOGRAMINS, NUCLEOTIDE SEQUENCES CODING
FOR THESE POLYPEPTIDES AND THEIR USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits of this application.

Copies of the listed documents were filed in parent Application No. 09/635,359, filed August 9, 2000 (now U.S. No. 6,670,157); Application No. 09/231,818, filed January 15, 1999 (now U.S. No. 6,171,846); and Application No. 08/403,852, filed May 10, 1995 (now U.S. No. 5,891,695).

A copy of recently issued U.S. 6,670,157 B1 is enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 8, 2004

By: 

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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	3806.0054-04	Appln. No.	10/716,803
Applicant	BLANC et al.		
Filing Date	November 20, 2003	Group:	1652 (Prior Application)



U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,670,157 B1	12/30/2003	BLANC et al.			
	6,171,846 B1	01/09/2001	BLANC et al.			
	6,180,392 B1	01/30/2001	BLANC et al.			
	6,077,699	06/20/2000	BLANC et al.			
	5,891,695	04/06/1999	BLANC et al.			
	5,591,614	01/07/1997	BLANC et al.	435	120	
	5,252,474	10/12/1993	GEWAIN et al.	435	172.3	

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

*	CHATER et al., "The improving prospects for yield increase by genetic engineering..." <i>Biotechnology</i> , Vol. 8, NY, US, pp. 115-121, Feb. 1990.
*	HALLAM et al., "Nucleotide sequence transcription and deduced function of a gene..." <i>Gene</i> , Vol. 74, Amsterdam, NL, pp. 305-320, 1998.
*	FUNANE, Kazume et al., "Isolation and properties of IM factor..." <i>Chemical Abstracts</i> , Vol. 115, No. 23, Abstract No. 251978n, Dec. 1991.
*	BIOT, "Virginiamycin: properties, biosynthesis and fermentation," <i>Drugs and the Pharmaceutical Sciences</i> , Vol. 22, pp. 695-720, 1984.

Examiner	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FOREIGN PATENT DOCUMENTS

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

✗	PAQUET et al. "Induction of pristinamycins production in <i>Streptomyces</i> ," <i>Biotechnology Letters</i> , Vol. 14, No. 11, pp. 1065-1070, Nov. 1992.
✗	"Selective production of neoviridogrisein...," <i>DATABASE WPI</i> , Sec. CH, Week 8420, Derwent Publ., London GB, Class B02, AN 84-123313, Apr. 1984.
✗	BLUMAUEROVA, M., "Abstract," "Physiological and genetic aspects of Virginiamycin...," <i>Folia Microbiologica</i> , Vol. 35, No. 6, Prague, p. 494, 1990.
✗	PRYKRYLOVA V., "Strain development in <i>Streptomyces virginiae</i> , a producer of...," <i>Biotechnology and Bioindustry</i> , Vol. 2, pp. 20-21, 1998.
✗	SPYROU et al., "Characterization of the flavin reductase gene (fre) of <i>Escherichia coli</i> and construction of a plasmid for over production of the enzyme," <i>J. Bacteriol.</i> , 173, 3673-3679, June 1991.
✗	FRANCIS et al., "Biosynthesis of chloramphenicol in streptomyces species 3022a: the nature of arylamine synthetase system," <i>Can. J. Microbiol.</i> , pp. 1408-1515, 1979.

Examiner	Date Considered
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Form PTO 1449

Patent and Trademark Office - U.S. Department of Commerce